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**IN THE UNITED STATES DISTRICT COURT,
IN AND FOR THE CENTRAL DISTRICT OF UTAH**

PETERSEN GAMES, LLC,

Plaintiff,

vs.

CCS-EXPRESS INTERNATIONALE
LUFTFRACHTSPEDITION, GMBH, John
Does I – X, XYZ Corporations and/or
Limited Liability Companies I – X.

Defendants.

**RESPONSE TO ORDER TO SHOW
CAUSE**

Case No. 2:23-CV-422-DAO

Magistrate Daphne A. Oberg

Plaintiff, Petersen Games, LLC (“Petersen Games” or “Plaintiff”), by and through their attorney Adam D. Ford of Ford & Crane PLLC, hereby responds to the Order to Show Cause (the “OSC”, ECF No. 3) entered by the Court on September 29, 2023 as follows:

Fed.R.Civ.P. 4(m) expressly states that it does not apply to service of a corporation in a foreign country under 4(h)(2)—service under the Hague Convention. CCS-Express Internationale Luftfrachtpedition, GmbH (“CCS-Express”) is a German company with its principal place of business in Germany and common methods of service are not available for the Defendant in this action.

A diligent search has not revealed a registered agent within the United States who can accept service, meaning Plaintiff must serve process on Defendant in Europe pursuant to the terms of the Hague Convention. By operation of Rule 4, Plaintiff is not subject to the ninety (90) day limit to complete service of process and kindly request the Court allow an additional 90 days to effectuate service.

Plaintiff recognizes that the OSC was issued immediately upon the expiration of the ninety (90) days permitted for common methods of service by Fed.R.Civ.P. 4(m). A significant part of the delay in this case was the reorganization of the Plaintiff, including significant management changes. Plaintiff is now ready to proceed with all haste with the present action and immediately work according to the Hague Convention to effectuate service.

DATED this 13th day of October, 2023.

FORD & CRANE PLLC

/s/ Adam D. Ford
Adam D. Ford (UTB# 11363)
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned, certify that on the 13th day of October, 2023, I caused a true and correct copy of the foregoing RESPONSE TO ORDER TO SHOW CAUSE to be filed with the Court electronically via CM/ECF, which caused notice to be served upon all e-filing counsel of record via the Court's Notice of Electronic Filing [NEF].

/s/ Adam D. Ford